

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO *ex rel.*  
State Engineer,

Plaintiff,  
v.

ROMAN ARAGON, *et al.*,

Defendants.

02 JAN -2 2001 2:00

69cv07941 JEC-ACE

RIO CHAMA STREAM SYSTEM  
Rio Nutrias, Section 3

ANSWER TO COMPLAINT FOR ADJUDICATION OF WATER RIGHTS

COMES NOW Joe B. Valdez (please print your full name)  
JOE B. VALDEZ

and answers the complaint as follows:

Subfile No  
CHNU-002-0010

Object ☒ Claim No Right ☐

1. In answer to Complaint: For each subfile listed above, please **initial** in one of the two boxes to indicate whether you object to the description of water right(s) contained in the State's proposed Consent Order, or whether you make no claim as to the water right(s) described in the State's proposed Consent Order.

If you object to the description of water right(s) and reject the State's proposed Consent Order, or if you make no claim as to the water right(s) set forth in the State's proposed Consent Order for any of the Subfile Numbers listed above, for each such Subfile Number please explain in the appropriate spaces below.

I object to the description of the water right(s) described by Subfile Number(s) 002-0010 because

I have evidence to prove that I have been  
irrigating this parcel since 1900. Also, I am

RECEIVED

DEC 27 2001

OFFICE OF THE STATE ENGINEER  
LEGAL SERVICES DIVISION

6474

Sending affidavits of neighbors confirming my  
claims. I have and also my father and his father  
have never let irrigation lapse. We<sup>have</sup> depended  
on irrigation for crops and pasture for stock,  
and have harvested ever since I can ~~remember~~ remember.

(Attach additional pages if necessary)

I made a good faith effort to resolve my disagreement with the State's proposed Consent Order by  
By showing field surveys this parcels while  
they were being irrigated

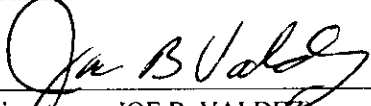
(Attach additional pages if necessary)

I claim no right for the water right(s) described by Subfile Number(s) \_\_\_\_\_ because

(Attach additional pages if necessary)

2. I understand that by making this claim and filing this document I am not waiving my rights to later raise, in an Amended Answer, any jurisdictional or affirmative defenses I may have.

Dated: 12-26-01

  
(Signature - JOE B. VALDEZ)

PO Box 806  
Tierra Amarilla, NM 87575

(Address: Print Clearly)

(505) 588-9526  
(Phone Number: Print Clearly)

**IMPORTANT: If you have been served with a summons and copy of the complaint in this action, or if you have waived service of process, you must file an answer in the United States District Court for the District of New Mexico by December 28, 2001. Any right you may have to use waters of the stream system may be adjudicated by default judgment in conformity with the State's proposed Consent Order if you fail to file an answer by December 28, 2001. The court's address is: 333 Lomas NW, Suite 270, Albuquerque, NM 87102, or P.O. Box 2384, Santa Fe, NM 87504. A copy of the answer filed with the district court must also be sent to the Office of the State Engineer, Legal Services Division, P.O. Box 25102, Santa Fe, NM 87504-5102.**

the photographs taken in 1935, 1958, 1975 and 1981 could also indicate we were having dry years and we needed to use the small resource of water to irrigate the most needed areas, possibly indicating no irrigation used in the area photographed. During some years we are only able to acquire a month (approximately) of water from run offs and do our best to irrigate the area that will give us the most crop for the year.

In the early years my grandfather & father used the land for grazing, but later the land was being improved to obtain a higher yield of crop. We depend on this crop in order to feed our livestock.

I depend on this crop to feed my livestock. This is a resource of survival. I have cattle that must be fed. Without water I can not obtain crop, without the crop I can not feed my cattle. This will or would deprive me of my ~~work~~ earnings in order to survive. Therefore I request reconsideration of the decision made.

Also not include in the map sent to me was on the map the portion of land (left-hand side)